7-12-04 IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Customer No. 23713

Bao *et al.* Group Art Unit: 2828

Serial No. 10/686,934 Examiner: Palmer, Phan T H

Filed: October 15, 2003 Confirmation No.: 4564

For: Waferless Fiber Fabry – Perot Filters

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL under 37 CFR 1.10 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S. B. Barone

Date **July 8, 2004** S.B. Barone

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner is respectfully requested to consider the following references which may qualify as prior art. For the Examiner's convenience, the references are listed on the attached Patent and Trademark Office form PTO-1449. As this application was filed after June 30, 2003, Applicants only include copies of foreign patent documents and non-patent references. *See*, Disclosure Statements Filed After June 30, 2003, Off. Gaz. Pat. Off., 8/5/2003.

The references and information provided herewith are cited in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of PTO-1449 is not an admission that all listed references are prior art. No representation is made that applicants know of the best art.

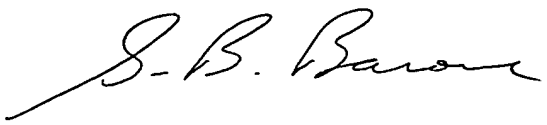
References listed in PTO Form 1449 submitted herewith which do not specify the month of publication have a year of publication sufficiently earlier than the effective U.S. filing date with any foreign priority date so that the particular month of publication is not in issue.

The Examiner is also requested to consider commonly owned U.S. Patent Application No. 10/742,599, filed on December 18, 2003, which may be considered related to this case. A copy of this pending application is provided herewith. Applicants submit these materials in a spirit of forthrightness and cooperation to enable the applicants to obtain that measure of protection for the invention to which there is entitlement. No representation is made that this reference actually qualifies as prior art under the patent statute.

European Application No. EP 0721 121 A1 is provided in a foreign language. An English translation of the abstract, however, is also provided for the Examiner's convenience. The relevance of this reference comes from the translated abstract which describes an optical configuration for optical filtering applications.

It is believed that no fee is required for this submission. If this is incorrect, however, please deduct the appropriate fee for this submission and any extension of time required from Deposit Account No. 07-1969.

Respectfully submitted,



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ATTY DOCKET NO.: 113-02	SERIAL NO.: 10/686,934	FILING DATE: October 15, 2003
APPLICANT: Bao et al.		GROUP: 2828

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EXAMINER	**DATE CONSIDERED**

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12/20/89

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Exmr. Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
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